

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

CLAUDIA L. BLAKE

CASE NO. 07-04366 MHP

Plaintiff(s),

v.

UNUMPROVIDENT CORPORATION, et  
al.

STIPULATION AND [PROPOSED]  
ORDER SELECTING ADR PROCESS

Defendant(s).

Counsel report that they have met and conferred regarding ADR and have reached the following stipulation pursuant to Civil L.R. 16-8 and ADR L.R. 3-5:

The parties agree to participate in the following ADR process:

**Court Processes:**

- Non-binding Arbitration (ADR L.R. 4)
- ✓ Early Neutral Evaluation (ENE) (ADR L.R. 5) - Defendants
- ✓ Mediation (ADR L.R. 6) - Plaintiff's

*(Note: Parties who believe that an early settlement conference with a Magistrate Judge is appreciably more likely to meet their needs than any other form of ADR, must participate in an ADR phone conference and may not file this form. They must instead file a Notice of Need for ADR Phone Conference. See Civil Local Rule 16-8 and ADR L.R. 3-5)*

**Private Process:**

Private ADR (please identify process and provider) \_\_\_\_\_

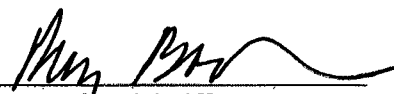

The parties agree to hold the ADR session by:

the presumptive deadline *(The deadline is 90 days from the date of the order referring the case to an ADR process unless otherwise ordered.)*

other requested deadline \_\_\_\_\_

Dated: 11/16/07

Dated: 11/16/07

  
\_\_\_\_\_  
Attorney for Plaintiff  
  
\_\_\_\_\_  
Attorney for Defendant

**[PROPOSED] ORDER**

Pursuant to the Stipulation above, the captioned matter is hereby referred to:

Non-binding Arbitration  
Early Neutral Evaluation (ENE)  
Mediation  
Private ADR

Deadline for ADR session

90 days from the date of this order.  
other

IT IS SO ORDERED.

Dated: \_\_\_\_\_

\_\_\_\_\_  
UNITED STATES MAGISTRATE JUDGE

**PROOF OF SERVICE**

***Claudia Blake v. Unumprovident Corporation, et al.***

***U.S. District Court, Northern District of California, Case No. C07-4366 MHP***

I am a resident of the State of California, over the age of eighteen years and not a party to this action. My business address is 1050 Battery Street, San Francisco, California 94111. On November 16, 2007, I will serve the following documents:

**STIPULATION AND [PROPOSED] ORDER SELECTING ADR PROCESS**

in the manner as provided by Rule 5(b) of the Federal Rules of Civil Procedure by placing a true copy of the document(s) listed above, enclosed in a sealed envelope, addressed as set forth below, for collection and mailing on the date and at the business address shown above following our ordinary business practices. I am readily familiar with this business practice for collection and processing of correspondence for mailing with the United States Postal Service. On the same day that a sealed envelope is placed for collection and mailing, it is deposited in the ordinary course of business with the United States Postal Service with postage fully prepaid. I am employed in the county where the mailing described below occurred, and am readily familiar with the business practice for collection and processing of correspondence for mailing with the United States Postal Service. I placed a true copy of the specified document(s) in a sealed envelope(s) with postage thereon fully prepaid. The envelope(s) will be deposited with the United States Postal Service on this day in the ordinary course of business in San Francisco, California.

**UNUMPROVIDENT CORPORATION)  
UNUM CORPORATION, NEW ENGLAND  
MUTUAL LIFE INSURANCE COMPANY**

John C. Ferry, Esq.

Thomas M. Herlihy, Esq.

**KELLY, HERLIHY & KLEIN LLP**

44 Montgomery Street, Ste. 2500

San Francisco, CA 94104-4798

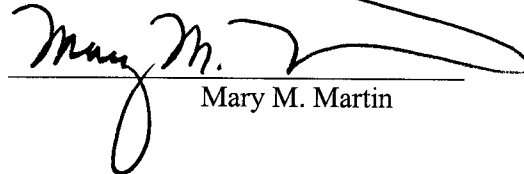
Phone: (415) 951-0535

Fax: (415) 391-7808

Email: [jferry@kelher.com](mailto:jferry@kelher.com)

Email: [herlihy@kelher.com](mailto:herlihy@kelher.com)

**(X) (FEDERAL)** I declare that I am employed in the office of a member of the bar of this Court at whose direction the service was made. Executed at San Francisco, California, on November 16, 2007.

  
Mary M. Martin